

## REMARKS

Claims 1-9 are pending in the application; the Applicants have amended claims 1, 4, and 6. The Applicants have rewritten portions of the specification to clarify certain language. No new matter has been added as a result of these amendments. For instance, in the amended claims, "in a case where printing processing is started" is taught at least on page 6, starting at line 3, "the existence of a printing start is first determined as shown in a step 1 (ST1)."

### 35 U.S.C. § 103(a) Rejections

The Office Action rejects claims 1-9 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0093682 ("Kawamura") in view of Japan Patent Publication No. 2001-111928 ("Sakamoto"). The Applicants respectfully submit that claims 1-9 are patentable over the cited art because the cited art, alone or as combined, fails to teach all of the features of the claims.

As a preliminary note, nowhere in Kawamura does it teach that "image data is recorded to a recoding medium together with a making date." (emphasis added). The only reference in Kawamura of a date is of "a print date designation," e.g., to designate the "print date," not the date the photo was made or taken. See e.g. [0041]; [0044]. Furthermore, Kawamura discloses an image processing apparatus that analyzes a print setting item recorded on a recording medium by a printer and generates additional information relating to the print setting required upon printing by the printer in accordance with the analyzed print setting item. Thus, the image processing apparatus eliminates the user's burden of manipulating a print setting item for each printer and reliably avoids an incident in which a print setting item is set that cannot be set by the printer that is to output image data. Accordingly, Kawamura discloses a data processing method for the image processing apparatus.

In contrast, nowhere in Kawamura does it teach "a printer able to select and print arbitrary image data among plural image data recorded to a recording medium together with a making date, wherein, in a case where printing processing is started, when automatic printing information for automatically printing a set of image data selected in advance is recorded to said recording medium, printing according to the automatic printing information is executed, and when said automatic printing information is not recorded, the making dates of the plural image data are compared and the newest image data is printed." Claims 4 and 6 include corresponding features that Kawamura does not teach.

Furthermore, Sakamoto discloses sorting image data in the order of dates and outputting an image desired by a user without requiring a complicated operation. See e.g. [0034]. In contrast, nowhere in Sakamoto does it teach "a printer able to select and print arbitrary image data among plural image data recorded to a recording medium together with a making date, wherein, in a case where printing processing is started, when automatic printing information for automatically printing a set of image data selected in advance is recorded to said recording medium, printing according to the automatic printing information is executed, and when said automatic printing information is not recorded, the making dates of the plural image data are compared and the newest image data is printed." Claims 4 and 6 include corresponding features that Sakamoto does not teach. For at least these reasons, Kawamura in view of Sakamoto does not teach all of the features recited in claims 1, 4, and 6. Dependent claims 2-3, 5, and 7-9 are likewise patentable over the cited art by virtue of their dependency from claims 1, 4, and 6, respectively.

The Applicants respectfully submit that all of the pending claims are in condition for allowance and seek an early allowance thereof. If for any reason the Examiner is unable to allow the application in the next Office Action and believes that a telephone interview would be helpful to resolve any remaining

issues, he is respectfully requested to contact the undersigned attorney or agent.

Respectfully submitted,

/ Gustavo Siller, Jr. /  
Gustavo Siller, Jr.  
Registration No. 32,305  
Attorney for Applicants

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200